



US Army Corps
of Engineers
Alaska District

Regulatory Division (1145)
CEPOA-RD-E-JFO
8800 Glacier Highway, Suite 106
Juneau, Alaska 99801-8079

Public Notice of Application for Permit

PUBLIC NOTICE DATE: July 28, 2008
EXPIRATION DATE: August 27, 2008
REFERENCE NUMBER: POA-2008-848
WATERWAY: Hoonah Harbor

Interested parties are hereby notified that a Department of the Army (DA) permit application has been received for work in waters of the United States. Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Randal P. Vigil at (907) 790-4490 or by email at randal.p.vigil@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Ward's Cove Packing Company, Post Office Box 5030, Seattle, Washington 98105-0030.

AGENT: Toner-Nordling and Associates, ATTN: Ms. Naomi Hobbs, 5368 Commercial Boulevard, Juneau, Alaska 99801-7214, phone number (907) 723-8245

LOCATION: The project site is located within the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 28, T. 43 S., R. 61 E., Copper River Meridian; USGS Quad Map Juneau A-5; Latitude 58.113° N., Longitude 135.448° W.; 125 Front Street, in Hoonah, Alaska.

PURPOSE: The applicant's stated purpose is to replace the existing marine fueling station at the Hoonah Trading Company and better meet Federal standards for dispensing fuel.

PROPOSED WORK: The applicant requests authorization for the following work in waters and navigable waters of the United States: 1. Discharge approximately 6,100 cubic yards of shot rock and 2,000 cubic yards of riprap armoring into approximately 0.30 acres below the plane of the high tide line (approximate elevation +19.3 feet above the 0.0 foot contour) and the mean high water mark (approximate elevation +13.9 feet above the 0.0 foot contour) (MHW). 2. Construct below MHW, one approximately 20 feet wide by 100 feet long, pile supported (four each steel), steel float connected to the proposed fill by one approximately 5 feet wide by 80 feet long ramp. 3. Install below MHW one mooring dolphin consisting of approximately three piles. All work would be performed in accordance with the enclosed plan (Sheets 1-3), dated June 2008.

ADDITIONAL INFORMATION: On July 26, 2006, a DA permit was issued to the City of Hoonah (file number POA-1985-696-2, Port Frederick) that authorized the following work within the proposed project area associated with the construction of a marine industrial center: 1. Discharge approximately 115,000 cubic yards of shot rock, 9,000 cubic yards of Class IV riprap, and 3,800 cubic yards of base course grading C-1 surfacing material into approximately 3.8 acres below the high tide line (approximate elevation +19.3 feet above the 0.0 foot contour) (HTL). Install approximately 600 linear feet of sewer line, 500 linear feet of water line, 1,200 linear feet of storm drainage system, and three oil/water separators within the fill. 2. Install approximately 59 galvanized steel piles and approximately 230 linear feet of sheet piling below mean high water (approximately +13.9 feet above the 0.0 foot contour).

The aforementioned DA permit authorized at the proposed project location the discharge of approximately 2,400 cubic yards of fill material into approximately 0.23 acres below the HTL for the construction of a barge ramp.

MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material: "The project is a modification to the original approved fill area as mentioned above, and the applicant is requesting approval to increase the size of the fill footprint from 0.23 acres to 0.30 acres. Due to the existing uses of this area on the Hoonah waterfront and the already approved amount of fill to this site, it is believed to be the best alternative to minimize impacts to waters of the United States. Compensatory mitigation should not be required for the proposed impacts because the applicant has chosen to make use of a site that was already approved for fill."

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Division of Coastal and Ocean Management, Department of Natural Resources has concurred with the applicant's certification.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are registered or eligible properties in the vicinity of the worksite. They have been designated JUN-00054 and JUN-01021. Because it has been determined to be outside of the project area, no further action is required. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Commander at this time. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species

Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

Preliminarily, the described activity may affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authorities:

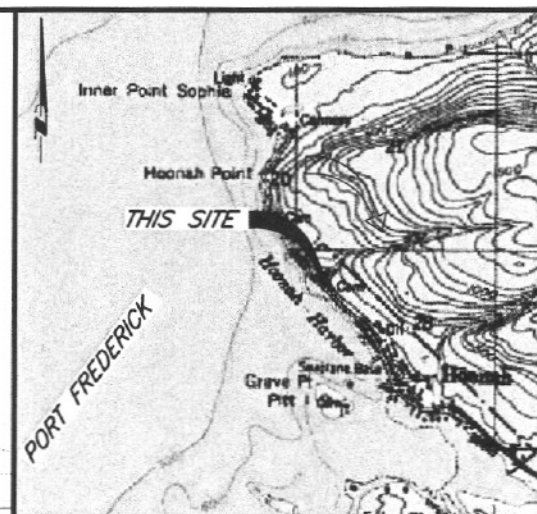
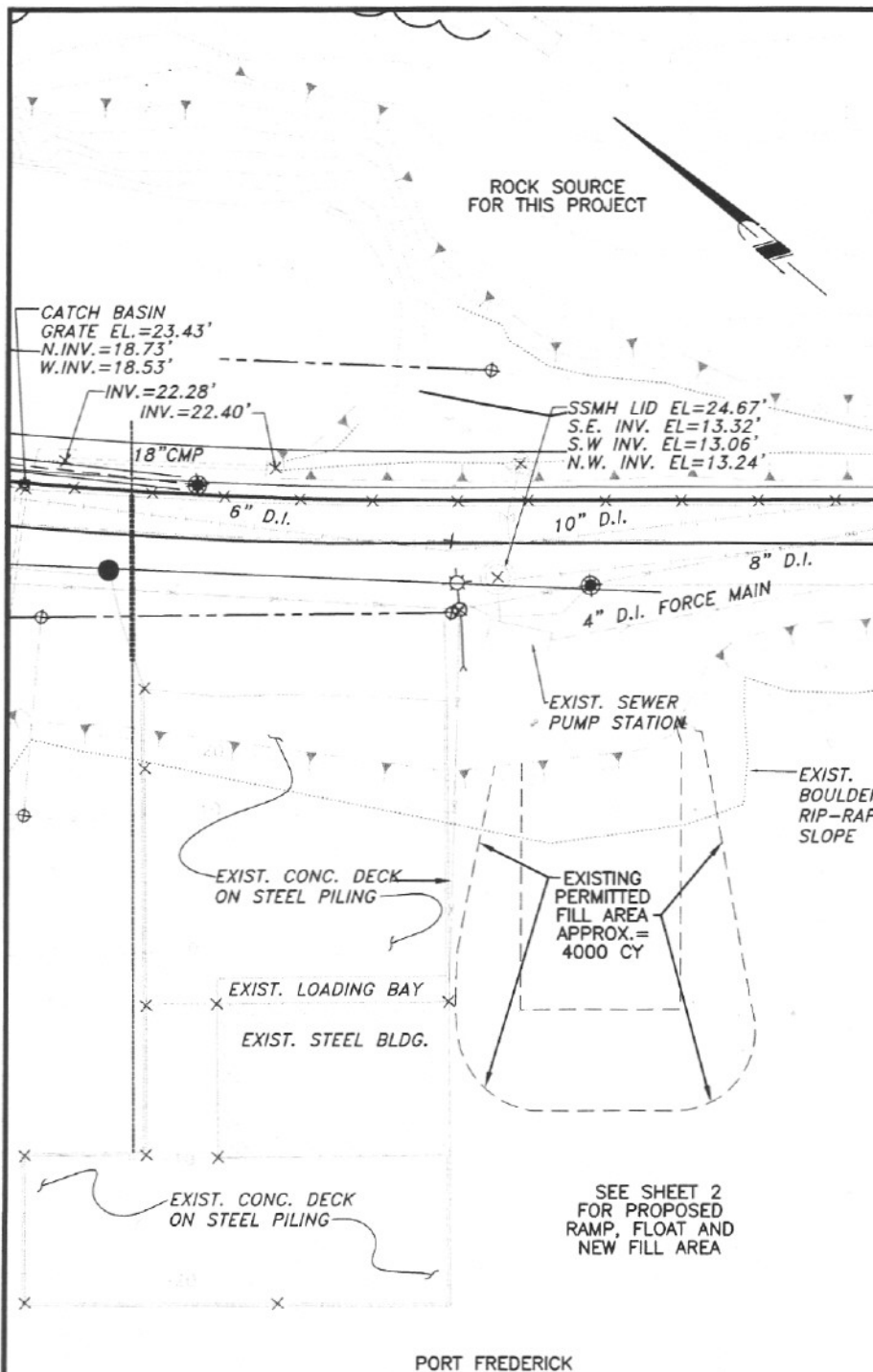
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures



SITE LOCATION MAP

SOURCE: U.S.G.S. PROVISIONAL MAP
JUNEAU(A-5), ALASKA
SCALE: 1"=1 MILE
CONTOUR INTERVAL: 20 METERS

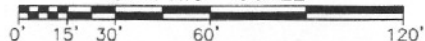
LEGEND

---	PROPERTY/BOUNDARY LINE
▼ ▼ ▼	TOP OF BANK
---	EXIST TOE OF SLOPE
---	PROPOSED TOE OF SLOPE
---	CONTOUR LINE
---	OVERHEAD UTILITIES
---	WATER LINE
---	SEWER LINE (GRAVITY)
---	SEWER LINE (PRESSURE)
---	CULVERT
---	WATER VALVE
---	FIRE HYDRANT

ICY STRAIT TIDAL DATA

EHW	19.2'
MHHW	15.3'
MHW	14.2'
HTL	7.9'
MLW	1.5'
MLLW	0.0'
ELT	-5.0'

GRAPHIC SCALE



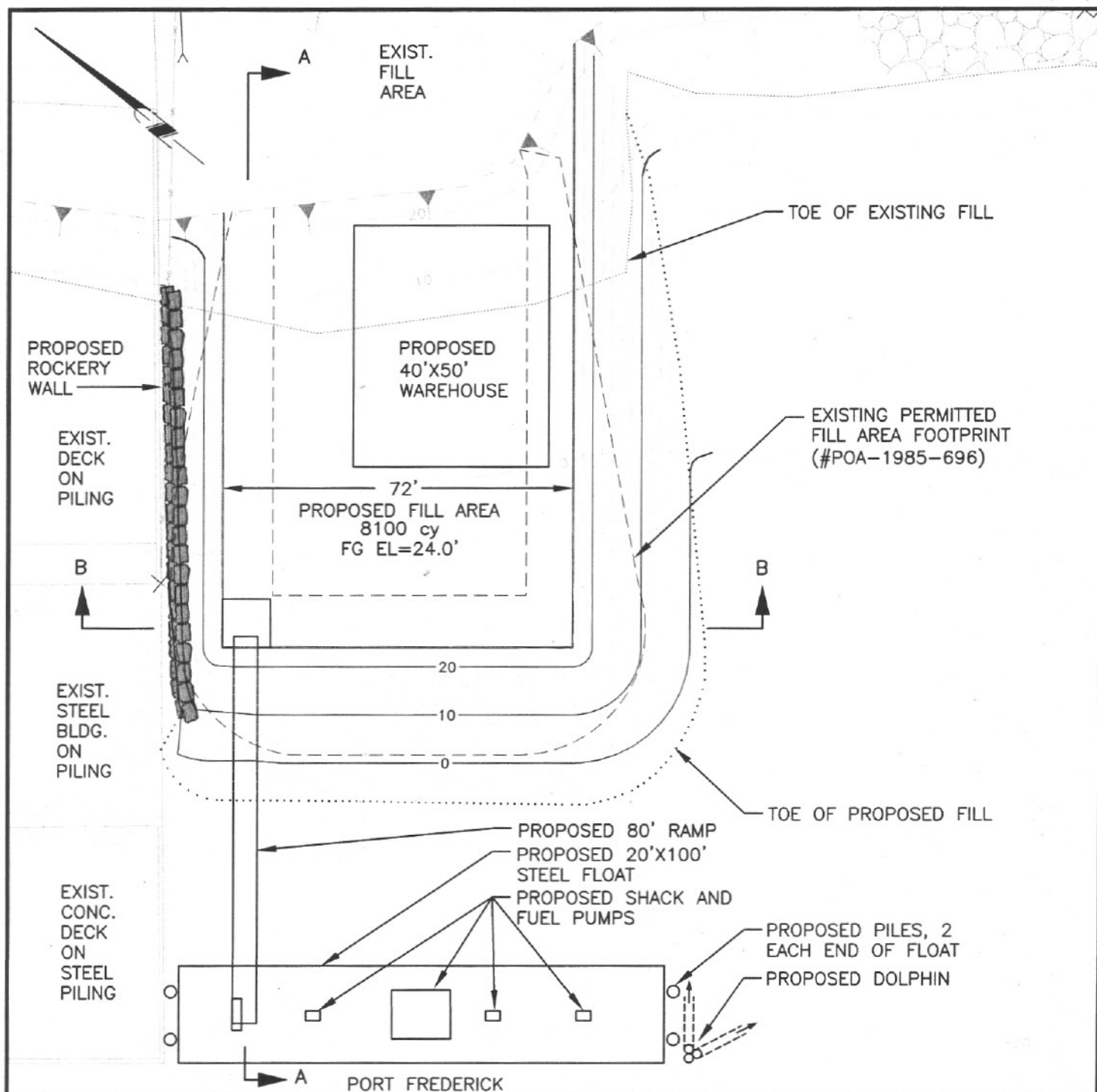
SHEET INDEX

SHT.	DESCRIPTION
1	SITE LOCATION MAP
2	SITE PLAN
3	SITE CROSS SECTION

HOONAH MARINE FUEL DEPOT SITE LOCATION MAP REF. # _____

IN: PORT FREDERICK
AT: HOONAH, ALASKA
APPLICANT: WARDS COVE PACKING CO.
PO BOX 5030
SEATTLE, WA 98105

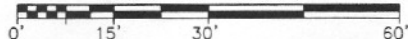
DATE: JUNE 2008 SHEET 1 OF 3



ICY STRAIT TIDAL DATA

EHW	19.2'
MHHW	15.3'
MHW	14.2'
HTL	7.9'
MLW	1.5'
MLLW	0.0'
ELT	-5.0'

GRAPHIC SCALE



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HOONAH MARINE FUEL DEPOT SITE LOCATION MAP

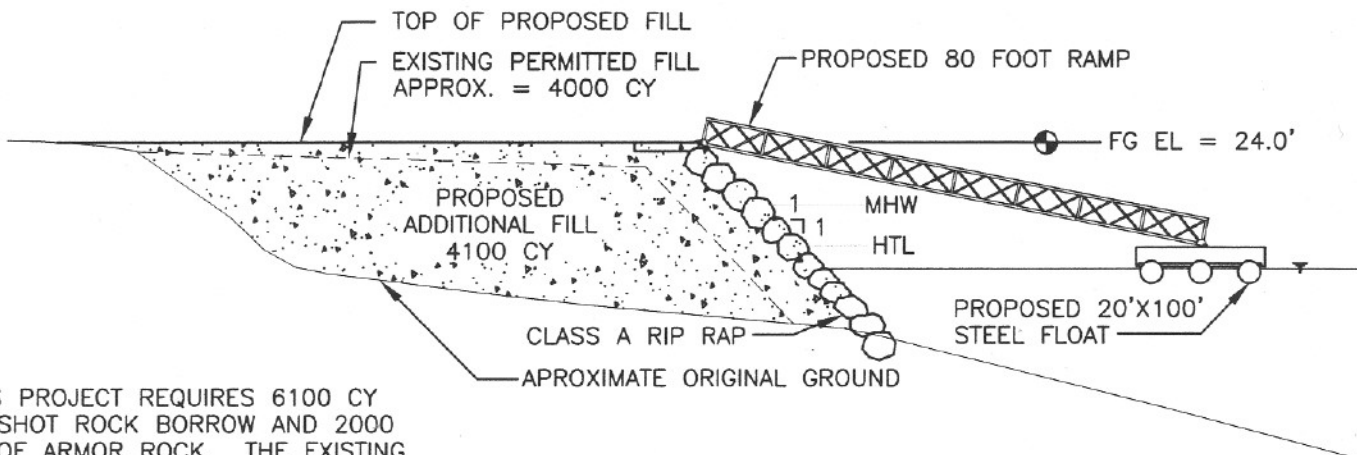
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AT: HOONAH, ALASKA

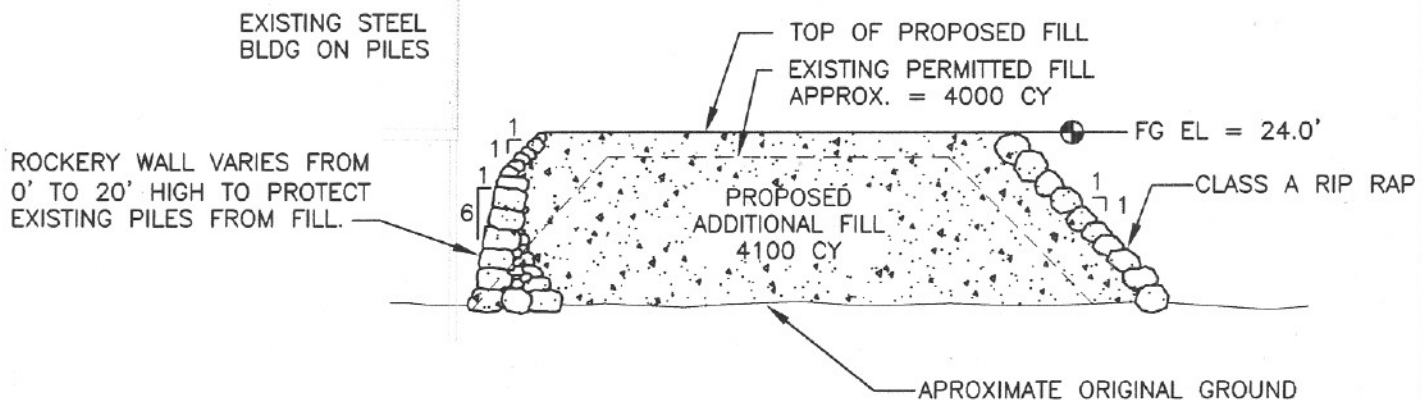
APPLICANT: WARDS COVE PACKING CO.
PO BOX 5030
SEATTLE, WA 98105

DATE: JUNE 2008 SHEET 2 OF 3



THIS PROJECT REQUIRES 6100 CY OF SHOT ROCK BORROW AND 2000 CY OF ARMOR ROCK. THE EXISTING PERMIT (#POA-1985-696) ALLOWS FOR 4000 CY OF SHOT ROCK BORROW.

SECTION A - A

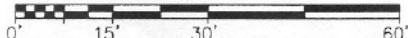


SECTION B - B

ICY STRAIT TIDAL DATA

EHW	19.2'
MHHW	15.3'
MHW	14.2'
HTL	7.9'
MLW	1.5'
MLLW	0.0'
ELT	-5.0'

GRAPHIC SCALE



SHEET INDEX

SHT.	DESCRIPTION
1	SITE LOCATION MAP
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HOONAH MARINE FUEL DEPOT SITE CROSS SECTION

REF. # _____

IN: PORT FREDERICK

AT: HOONAH, ALASKA

APPLICANT: WARDS COVE PACKING CO.
PO BOX 5030
SEATTLE, WA 98105

DATE: JUNE 2008 SHEET 3 OF 3

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF COASTAL AND OCEAN MANAGEMENT

DIVISION OF COASTAL AND OCEAN MANAGEMENT
POST OFFICE BOX 111030, MS 1030
JUNEAU, ALASKA 99811-1030
PHONE: (907) 465-3562/FAX: (907) 465-3075

NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Division of Coastal and Ocean Management for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. POA-2008-848, Hoonah Harbor, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Division of Coastal and Ocean Management (DCOM). For information about this consistency review, contact DCOM at the address or phone number above, or visit the ACMP web site at <http://www.alaskacoast.state.ak.us//Projects/projects.html>.

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
410 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1795
PHONE: (907) 465-5321/FAX: (907) 465-5274

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2008-848, Hoonah Harbor, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.